

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

POSITIVE TECHNOLOGIES, INC.,

Plaintiff,

v.

FUJITSU AMERICA, INC., HITACHI
AMERICA LTD., MITSUBISHI DIGITAL
ELECTRONICS AMERICA, INC.,
PANASONIC CORP. OF NORTH
AMERICA, PHILIPS ELECTRONICS
NORTH AMERICA CORP., PIONEER
ELECTRONICS (USA), INC., SAMSUNG
ELECTRONICS AMERICA, AND SHARP
ELECTRONICS CORP.,

Defendants.

CIVIL ACTION NO. 2:06-cv-00022-TJW

NOTICE OF DISMISSAL

NOTICE IS HEREBY GIVEN that, pursuant to Federal Rule of Civil Procedure 41(a)(1), Plaintiff POSITIVE TECHNOLOGIES, INC. voluntarily dismisses only Defendant FUJITSU AMERICA, INC. from the above-captioned action.

Dated: April 13, 2006

Respectfully submitted,

/s/ James P. Brogan

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